

Immigration

The reputation of the United States as the land of opportunity is known throughout the world, so it is no wonder that many foreigners want to come to this country to pursue the American dream. Our nation is built on the cultural diversity of those who have immigrated to the United States throughout our history.

As a first-generation American, Rep. Eshoo has a deep appreciation for the broad ethnic mosaic which has made and continues to make America a great country. Rep. Eshoo sees her job in Congress as an opportunity to promote sound immigration policies that benefit U.S. employers and laborers, provide ample and equal opportunities for people to immigrate legally into our country, and stem the flow of illegal immigration across our borders.

Related Resources:

- U.S. Citizenship and Immigration Service
- Department of Homeland Security
- Department of Justice
- Department of State
- Federal Bureau of Investigation
- House of Representatives Committee on the Judiciary
- Senate Committee on the Judiciary

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Legal Immigration

Rep. Eshoo is committed to balancing the needs of U.S. employers with employment opportunities for U.S. residents and foreign laborers. She places great value on the positive contribution of temporary laborers and skilled foreign

professionals in a variety of fields, from agriculture to medicine to advanced computing.

According to the Department of Labor, 53 percent of the nation's agricultural workforce is composed of unsanctioned foreign laborers. In California, that number is estimated to be as high as 90 percent in largely agricultural areas. Rep. Eshoo cosponsored H.R. 884, the Agricultural Job Opportunity, Benefits, and Security Act of 2005 to meet the seasonal and temporary labor needs of California farmers and reduce incentives for workers to work and stay in the U.S. illegally. This legislation streamlines the currently cumbersome process for farmers to access legal migrant workers approved for H-2A agricultural temporary visas, and creates a two-stage process for H-2A visa holders and their families to become permanent legal residents, should they choose to do so.

In Silicon Valley, employers need high-skilled laborers in the fields of science, medicine, engineering and high technology. Better educational opportunities for students and additional training of the current workforce are essential (read about the Democrats' Innovation Agenda), but U.S. companies can't merely wait for these efforts to take root. If outstanding talent can't be found in or brought to the U.S., the technology, the innovation, and the work will go abroad. While foreign students account for a large percentage of the graduating classes at many of our science and engineering graduate and professional schools, these students often do not have the option of remaining in the U.S. after they have earned their degrees, even if they are offered employment.

The unavailability of visas for skilled professional workers is a serious problem and could significantly impact our nation's competitive edge. In September of 2005, the Department of Homeland Security announced that the annual cap of 65,000 for temporary foreign professional (H-1B) visas had already been reached for 2006, a record since the quota was enacted in 1992. In 2004, Congress authorized an additional 20,000 H-1B visas be set aside for highly specialized workers (those holding a master's degree or higher). More than half of these have already been utilized for 2006. Providing the right types and limited quantities of visas for temporary and skilled foreign workers is a crucial part of immigration legislation and Rep. Eshoo is committed to finding ways to successfully incorporate this foreign talent into our economy to create jobs and innovations for the benefit of our nation.

Keeping Families Together

It's too often the case that families are torn apart as a result of imprudent immigration law, but Rep. Eshoo has consistently supported legislation to reunite and keep immigrant families together.

The V non-immigrant visa was introduced by the Legal Immigration Family Equity Act of 2000 and was made available to spouses or minor children of lawful permanent residents who were awaiting family-based immigrant visas. The V-visa was restricted to those who had applied for the immigrant visa on or before December 21, 2000 and had been waiting for approval for three or more years. The V-visa is no longer available. Rep. Eshoo cosponsored a bill (H.R. 1823) to renew the V non-immigrant visa, making it available to spouses or minor children of legal permanent residents who are awaiting family-based immigrant visas. This bill also extends the required filing deadline for V-visa petitions to 2011 and reduces the required waiting period for family-based immigrant visas from three years to six months.

Rep. Eshoo also cosponsored H.R. 3006, the Uniting American Families Act, which applies the same standards and requirements to same-sex partners that are applicable to opposite-sex couples seeking to bring a foreign partner into the country.

Relief for Battered Immigrants

The overall incidences of domestic abuse in immigrant populations are estimated to be between 32-50% (comparatively, the U.S. non-immigrant statistic is approximately 28%). When an immigrant's legal status is tied to the status of a spouse, there is an estimated 60% incidence of abuse. These are alarming figures.

Rep. Eshoo is an original cosponsor of H.R. 3188, the Immigrant Victims of Violence Protection Act. This bill would enhance protections for battered immigrant women and children from their abusers without regard to their U.S. citizenship status. This legislation is necessary to assist victims of domestic violence, sexual assault and trafficking to safely flee domestic violence and prosecute their abusers while keeping their families intact. Similar provisions of this bill were incorporated into H.R. 3402, the Department of Justice Appropriations Authorization Act, which also reauthorized the Violence Against Women Act.

Illegal Immigration Prevention

Rep. Eshoo is committed to stemming the flow of undocumented immigrants entering our country. Last Congress she voted in favor of the Intelligence Reform and Terrorism Prevention Act of 2004 (S. 2845) which was signed into law by President Bush on December 17, 2004. This bill was based in part on legislation Rep. Eshoo introduced with other Democratic Members on the Intelligence Committee. Among other things, the new law authorized the addition of 40,000 detention beds, 10,000 border patrol agents, and 4,000 immigration and customs investigators. The President's budget proposal for Fiscal Year 2006, however, included funding of only 210 agents. Under-funding these provisions hurts the effort to keep undocumented aliens out of the country.

In April 2005, Rep. Eshoo sent a letter to House appropriators urging full funding for 2,000 Border Patrol agents for fiscal years 2006-2010 as authorized. During consideration of the Emergency Supplemental Appropriations Act and the Department of Homeland Security (DHS) appropriations bill later in 2005, the Democrats attempted to increase funding for border patrol staff and activities but these efforts were blocked by the Republican majority. Ultimately, the final version of the DHS appropriations bill provided funding for an additional 1,500 border security agents. Rep. Eshoo believes we need to do more to protect our borders.

Interior Enforcement

Although securing the nation's borders to prevent illegal immigration is the responsibility of the federal government, states and localities routinely bear the costs associated with incarcerating undocumented criminal aliens once they enter the criminal justice system. At a time when state and local governments are being asked to do even more to protect our homeland, it is imperative that we provide the vital funding to compensate them for the costs of incarcerating undocumented immigrants.

In April of 2005, Rep. Eshoo signed a letter to the Science, State, Justice and Commerce Subcommittee appropriators, urging them to provide \$750 million for the State Criminal Alien Assistance Program (SCAAP), which helps to ease the burden on our states, local governments, and the law enforcement community. All 50 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands requested reimbursement through the SCAAP program in fiscal year 2004 and are currently applying for fiscal year 2005 funds. Ultimately, \$405 million was allocated to SCAAP for fiscal year 2006. Rep. Eshoo will continue to support law enforcement agencies and do all she can to make sure they have the resources they need to do their jobs well.